P 7 31-99

G. R. S. IX-5]

Previous references.

L.R 29-80

1895-96

191

(L. R.)

File No. 81-95

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

In ~~Part~~ B for May 1897

Remission of assessment of land belonging to Narasimhachar, Kalale village, Nanjangud Tk.

W D 1250—GPS—30,000 28-1-19

Précis of the records in connection with the petition from Narsimmaiahan and others holding lands below the Chalvainba Tank in the Kasba village of Kalale, Nanjangud Taluk, and praying for the remission of half the wet assessment.

The facts of the case are as follows

Vide Statement No attd 24-2-32

This tank has two feeders Gundal and Nanjapore which were in good condition prior to 1826-27, and the lands forming the wet Ayakat and Mallabanna Inam Estate of upwards of two Candies yielded to Govt in accordance with the then Battayi system half the produce of the lands every year. In 1833-34 the feeders breached and the supply of water diminished. Then the Govt received wet assessment for those lands which were cultivated with wet crops and levied dry assessment on those which yielded dry crops. This system of assessment was continued by Major Montgomery in 1841 in his No 245. This continued till 1880 except in 1876, when through

though there was some water in the tank, the ryots were utilizing it raised dry crops. They were never before asked to pay assessment. Thereupon, they appealed to the Sub-A Adhigaram Division. The endorsement they received was as follows:-

"Though you had some supply of water, it was your policy not to sow wet crops. You must therefore pay wet rates."

Again in 1858, they were asked to pay wet rates, though there was no water in the tank. They complained to the Sub-A Adhigaram Divn. when the anicutdar was directed to reduce the rates for want of water.

From the enclosures attached to the second petition, it will be seen that the practice of demanding wet or dry assessment according as wet or dry crops were raised, had been followed for 50 or 60 years.

In the early part of 1880-81 one of the feeders - Nanjapere (breached) in 5 places owing to heavy rains that year, and the whole water escaped. The ryots petitioned the Govt. some 4 or 5 times in 1881

N.2 dt 13 & 14-12-81

Vide (1) Second petition in 1881
(2) Petition by Sankaranarayana Jois in 1845
(3) Anicutdar's note to Shekdar dt 28th March 1855.
(4) Endorsement from Sub-A Adhigaram Divn dt 7th May 1856.
— Copies of which are hereto attached.

23rd January, 82
17th June -do-
30th June -do-
17 July -do-
} filed with the records.

P. W. Dept have omitted to undertake
the same, and have kept the next
assessment due by the petitioners
has been held in abeyance, pending
the final orders of the Govt on the
Petn was transferred to the Secretary
P. W. D requesting him to adopt early
measures for the recovery of the
of the sewers in question.

In April 1923, the inhabitants of
the village again petitioned
the Govt, enclosing the reference
noted above stating that their request
was not granted even on repeated
requests - that the amildar collected
nearly 200 Rs from them, for
the Nanjayya channel repairs to
some extent, and demanded them
to maintain wet cultivation,
but that in the summer season
the water supply was so small,
the crops failed and consequently
they suffered great loss, that they
are now demanded to pay the
assessment, and the amildar has
adopted coercive measures for
its collection, that they therefore
pray for orders to levy dry
assessment for the lands lying
south side Kaveri, & levy
wet assessment for those that
are sufficiently supplied with water

and once in 1882, enclosing the necessa
references, complaining :— regar
(1) that the Taluk authorities ~~have~~
them to pay wet rates, when there
was no water in the tank to grow
wet crops therewith, instead of-
dry rates according to Grāmavāy

(2) that though in accordance with
Major Montgomery's order of 184
they have paid wet assessment
for 12 years and dry assessment
for 24 years besides for the year
Durmati and Rakkasa, as deta
ed in the list, yet the Govt ha
violated their rules.

here to attached

(3) that it was impossible to grow
even dry crops when there was no
water, as the lands were entirely
of fullers-earth. and,

(4) that they were paying dry ass.
ment only for the sake of their rights
of ownership therein.

They urged that they were willin
to pay wet rates if they were
provided with sufficient supp
of water, that there was not be
sufficient supply even once i
6 or 7 years, and that they are
paying for the last 50 or 60 years
wet or dry rates according as
they grow wet or dry crops,
and have paid dry rates as usual

5

that when they represented their grievances to the Dewan in person, they were simply told to be satisfied with the reduced half rates and so to pay, that they therefore propose authorities to show that the Govt have violated the long established practice.

+that they therefore pray :—

(1) that they may not be required to pay ~~demanded~~ extra rates for the year Vikrama and that they may be given sufficient supply of water.

They also agree to pay half rates permanently if they are allowed to repair the tank at their own cost and grow wet crops; and in that case they should not be asked to pay full assessment.

This last petition with enclosures which consists of Sapabali Patter, Darkhasti and amildar's orders thereon to the Shekdar, was sent to the Dy Commr for report with the following observations :— 30-9-82

" To report in communication with the Ex. Engineer as to the repairs required to the tank and whether the same can be undertaken by Govt or made over to the ryots on a remission of the assessment."

The Dy Commr reports that the tank is in good order, but only the feeders are to be restored to their original condition, which the P.W.D

His No. 412 of 24-11-82

to any Bengal ~~cultivator~~ Kandayan
for case in which crops failed

this year for want of water, and
to any proceedings taken regd by
the amildar.

[N.B. The enclosures are copies of the
Kandiahs, municipalities & which
show that the practice of collecting
dry or wet rate according as
dry or wet crops are raised, has
been duly kept up].

The above petition was forward 17-4-83
ed to the Dy Commr for report with
the following observations: —
"The patas herein enclosed tend
to show that some of the lands
in question used to be assessed
as wet or dry in each year
according to the supply of water
received by the tank. Petitioner
& complain that the system
of annual change was abolished
last year on the authority of
orders received from this office.
It should be explained under
what circumstances a change
of system such as that alleged
was introduced."

The Deputy Commr in reply 18 " " 83
states that the circumstances are
fully explained in his letter
No 402 of 24 Feby/83 referred to above
& that the usual standing orders
on the subject were in force & duly

No 2156 & 24/7/83
93

of the Govt Kandiahs
observed. The objections
raised by petitioners to the rates proposed

Memo 4461 & 27/8/83
12

vation, but that the Land-holders
instead of sowing Jadry, had re-
course to a more profitable way
of sowing two dry crops. Under these
circumstances, I cannot approve
of the Amildar's recommendation
and grant remission. But if
the Amildar had after his personal
inspection, reported that the rain
saved Jadry, that there was no
sufficient empty ground, that
the crops therefore failed, and
had recommended for remission,
then their case would have been
considered." The Amildar in
obedience to this order, caused
notice to the several Land-holders
to pay up the Kandayam. Thereupon
the ryots petitioned against the ry-
/amun stating. — that the Jamun
bundi Officer's statement is in-
correct as is evident from the
Amildar's remarks in the Cabrar
Jadida, that very few persons
sowed dry crops, those crops too
failed - that it is usual with
them to grow two dry crops
and that merely for this reason
they should be demanded to pay up
full rate assessment is unjustifi-
able, and that therefore they beg
that as per Govt orders above referred to
half

No 235 of 24th June 1875
93

8

In 1893 a petition from Shan-
bhog Krishnappa and others of
the same village was received
requesting early orders for the
completion of the Gundlupett Channel
Project, the remission of assess-
ment on the lands below the
Tank for the year in which crops
have failed, and the post-pone-
ment of the earth-work to be done
by the ryots to the kattle village
tank.

10-7-98.

This was sent to the Dy Commr
for early report as to what was
had been passed.

It will appear from the records
that no reply was received.

In April 1896 the ryots of
the said village petitioned the
Dy Commr complaining:—
that the tank did not contain
sufficient supply of water any
years, but once in 8 or 10 years
there may be heavy rains and
the tank may hold some water
that
Owing to this scarcity, Govt were
pleased to levy wet or dry assess-
ment according to the supply,
that this system continued till 1885
when the late Dewan promised them
to

to provide with water and allowed them to pay full assessment when there is sufficient supply and half assessment when there is no supply — that being unable to pay even this assessment, they begged the present Dewan on his way to the Niligiris with the late H.H. the Maha Raja for a sufficient water supply — that they have been paying as per above order half the wet assessment for the last 10 years, but that in 1895 the ami'dar seeing that during the cultivation season very few lands were under dry cultivation and the rest lay waste, recommended in the Jakrai Jakhla for the remission of half assessment. X

vide Govt Ro: No 456/93 dy 26th July

hereto attached.

His remarks are as follows:—

This year too, there is no water was received to the tank. Though there was a little water in it, it was not useful for cultivation. The condition of this tank is the same every year. So, recommend for remission."

On this, the Jamabandi Officer ordered as follows:—

"I inspected the tank. I learn (from reliable sources) that this year there was some water in the tank, only 1 or 2 ft below the Kodi level, that it was sufficient for wet cultivation

half assessment may be levied and that they may ~~have~~ be supplied with sufficient water. — On the letter form endorsed as follows:— No. 89, 7.96

"You pray for remission of half the wet assessment on the ground that as there was no sufficient supplies of water in the tank, you sowed dry crops. The Amildar has issued an endorsement to you in accordance with the Panchayat officer's order that there was water in the tank, only for 2½ below the Kodi level. You sowed the dry crops evidently for your own benefit though the water supply was enough. Therefore you have no reason to claim ~~for~~ remission. There are no rules to allow remission in this case."

Then the land-holders applied to Govt stating that with reference to endorsement from this office asking them to produce the Panchayat orders, they applied to him on 13.7.96 and obtained the above endorsement that adverting to the statement "though there was water enough for wet cultivation, yet the land-holders had recourse to the more profitable way of raising dry crops" they urge that it is common practice everywhere to grow two dry crops one for Kar season and another for No. 3200 dated 30.6.96

for wet cultivation, but those
to grow dry crops.

WL
10/3/97

The Dy Comm^r doubts whether
the proceedings of 1887, as amended by the Act of 88
apply to this
Case as the tank has not breached
the complaint being that water
is unsuitable and
The Dy Comm^r does not state
whether, as was stated by
the pet^rs, remission of ½ wet
assessment has been made
as a matter of course in the
year 1883; and the record do
not throw light on this point.

In the order of 1883, it stated
"half remission of wet assessment
in cases where the lands are
not irrigated and full wet
assessment shall be collected
in cases when the lands are
under irrigation"

This order contemplates a
special enquiry at the
Jamabundi of each year before
remission can be granted
But this order was based on

time, that very few persons have grown dry crops, the rest having left their lands waste, that if there was water even to a small extent, they would not have left their lands uncultivated, that owing to some unusual rains only 2 or 3 ft of water collected which was not let out but allowed to dry up, that this matter was noticed by the Amildar while on camp for Jamabandi, and so recommended remission, that they have paid up half assessment as usual, and for the other half, the amildar has adopted coercive measures and that they therefore pray:—

(1) that the sale may be stayed
(2) that assessment be remitted
and (3) that the construction-work of Gundalpett Channel already sanctioned be at once commenced.

Orders were passed thereon as follows:
"that sale should be be stayed in this case where half Kandayam has been paid up, that the Dy Commr's attention is drawn to Govt Pro: No 2456/93 of 24th July/93 and that he is requested to submit a report briefly explaining the circumstances of the case which warranted a departure from that order."

This

This was forwarded with records to the 2nd Asst Commr who sent to the Amildar for report. The Amildar states as follows:— "In obedience to the Jamabundi Officer's orders noted in the Sakrar Takhta, my predecessor mr Narasanna adopted coercive measures. I have now in accordance with the present order directed the Shekdar to stay the sale, and if permitted, I shall submit a list of persons deserving this remission."

The Dy Commr in submitting this report states:—

(1) That the Amildar recommended for remission seeing that there was no water in the tank, but the Jamabundi Officer did not approve of it, as he found on enquiry that there was water enough for wet cultivation, and ordered recovery of the full wet assessment.

in his letter No 1379 dy 9 May

(2) That the petitioners appealed to his predecessor who rejected it, confirming the Jamabundi officer's orders and that they have now appealed against the Dy Commr's orders, and

(3) That he doubts the applicability to this case of the Govt Rose of 83 noted above as modified by the rules contained in Govt Rose—inasmuch as the Jamabundi Officer writes that there was water, but the petitioners did not utilize it for

No 9792-800 dy 5th May
Cir 214
hereto attached.

on the proceedings of 1887 wh
were amended & modified in 1888
& 1890
The latter rules provide for
termination only when the tank
becomes unavailable for
irrigation & not as in the
present case where the
Complainant is insufficiency
of water
Both the ~~duty of~~ necessity to
keep the tank & its feeders
is undoubted & was recognised
when the Dy Comr's letter dy
412 of 24/12/82 was transferred
to D.P.W Dept for favourable
early measures being adopted
for repairing the feeders
But there is nothing to show
that the letter was actually
dealt with in the D.P.W Secretariat
The ~~value~~ register of tanks is unmaintained
& unnumbered & there is no note
of reception in D.P.W Secretariat)
The Dy Comr's report (the latest)
does not show that anything
has been done during these 14 years

1896

No. 3906

Name of Petitioner, Narasimhachar and others

Village, Kadaé

Taluk, Channapatna

District, Ellapore

Date of Arzi, 1.5.96

Date of Receipt, 5.5.96

Date of Disposal,

No. of Enclosure, 2

ABSTRACT.

Rivers, Orchard
ith clay Kandyan
rwan in 1881 raised
ng the net assessment
the year under
ce the Ordinance
fter carrying out
hat the Magistrate
ey propose. It
found to be true that
the Kandyan water
ds would be lowered
Direct orders
What these valuable
rops are known
when destroyed.
Another reason
fusal of the Petitioners
request is stated
be that the Ordinance
ould be introduced
a year or two. Besides
h a settlement is
be inexpedient to
er the Special
ation which was
ed in connection
the Galle Harbour
provision was made
der that case, he
eleased from all such
ds as, owing to
ir falling out
ng from the Ordinance
ere.

29/4/97

for the repair of the feeders
through in 1882 the Executive
Engr reported that a
project was under
preparation

Sub C & 2nd Committee
M 15/4/97

Rdg Asst.
17/4/97.

Attention drawn
the Doors Minutes
taken regarding
the improvement
of these channels
& minute
Engr the Kandyan
Provinces upon the
necessity of the net
assessment &
found that the
Council has been
always allowed
a special treatment
owing to the
peculiarity of
the water supply
for some time when
Kandyans were not
irrigated from

(1) Send the Mr's
report No 412
dt 24/11/96
to the Secretary
Colombo
Galle Engineer
Galle Proceedings
Dist Proceedings

the Ryots of Taluk No. 2 in respect
of confirming the Panchayat
Officer's orders; that they have
now paid as usual the half
assessment; & that the Govt.
has now been taking further
proceedings against them to
recover the remaining half
assessment.

Pray that orders be issued
to the effect, that the half assessment
should as usual be remitted,
~~and imposed on them~~ that Panchayat Officers may hence-
forth unjustly assess them;
that the Govt. will not take action
against them; & that water may
be supplied to them.

The Panchayat Officer's order is contained in the Amildar's
endorsement to them dt. 3.4.96 & is as follows:—
Use any recommendation to the Panchayat Officer to
remit half of the assessment on the ground that the wet
dry cultivation in the land below the bank of Taluk No. 2 has
not been inspected
has made these orders on the Report of Taluk No. 2 Tank
the Tank. I understand (from sec. records) that the bank
need in only two years to a height of two feet less than
the level of the waste weir, that if any encroachment except to
for wet cultivation & that then the land holders instead
of having paddy, had recourse to the more profitable
crop of Cholam in dry crops. Under these circumstances
I cannot grant the remission of the half Kandayam
as recommended by the Govt. Therefore You must
levy the full Kandayam immediately.

C.G.K.
8.6.96.

1900

MYSORE DEVANA OFFICE
PETITION DEPARTMENT,
REC'D. IN

Presented at
Sundarvalli

1896

No. 417

Name of Petitioner, [illegible]

Village, [illegible]

Taluk, [illegible]

District, [illegible]

Date of Arzi, [illegible]

Date of Receipt, [illegible]

Date of Disposal,

No. of Enclosure, [illegible]

ABSTRACT.

[illegible]

the water here in the tank to a depth
of 2 or 3 feet but it has all almost
to dry up in the dry time itself & the
seeing this the Govt. recommended the
remission of half of the assessment &
that they have been carrying from
Jagga the remission of half of the
wet assessment on their lands &
for this demand Proceedings (copy herewith) &
that it is unjust for us to ask them
to pay the full wet-assessment &
that they have remitted the
wet assessment but for the
remaining half, & right hereby
to be remitted, their lands are
attached by the Talati authorities.
& their ears are fired for the 1st
H.S. & 1/2 & August (as per Petition herewith) &
& that even now they are in need of
water.

Pray (1) for the stay of sale
(2) for remission of half of Kandyan
(3) for orders to take up the Gunnal canal
work &c is already sanctioned.

C.J.C.
31.7.96

The order of the Government Collector is as follows:—

"Your pray for remission of half of the wet assessment on the ground that as you had no water in the tank for the first crop during the Govt. Wet-crop & for the second crop only for a short time & that the Government after due enquiry & 3.4.96 are of the opinion that the Government after due consideration to the case has decided some water remission for remission to the tank has decided some water which may last long 1 or 2 feet & as you for your own profit have not raised more crop, wet-crop & garden crop 2 dry crops. However there is no provision to remit

Pet. Enc: 12. (8)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 417

dated 30th July 96 received at the

Dewan's Office from Ramachandrachar and Others holding lands under the tank of Kallahalli in the Nanjangud Taluk praying for remission of half assessment on their lands which were not irrigated

is forwarded, together with its enclosures, to the Deputy Commr Mysore with a request that he will be so good as to stay the sale of the lands in this case where half Kandayam has been paid up

2 Vide Commr's Memo to Govt No 2156/93 of 24th July 1893 and the further request to submit a report briefly explaining the circumstances of the case which warranted a departure from that order

By Order,

Draft

Chief Secretary.

BANGALORE,
4-8-1896

RKi
4/8

M. G. C. P. Bangalore.—21-11-92—3,000.

LR 81-95-4

Drafts for a Memorial

Gen. Serial No. 81.]

1897 (1)

From

The Secretary to the Govt. of Mysore.

(Per Govt. despatch)

To

The Chief Engineer in Mysore

Dated Bangalore 8th May 1897

Despatched 11

Received

Enclosures No. Two

General No. 9895

F. No. 1659

Sir In forwarding herewith as directed

I have the honor to request that you will be good enough to report whether any Whether any Instruction, taken for improving the improvement of the Channels of Gundlu Nanjangud which feed the Chowdambasi at Tidaloor village, Nanjangud Taluk. Whether Engineering reports

Mysore Division

Draft, I have the

C2

Secy. 7/5/97

For Secretary

LR 81-95-5

2 Drafts for Approval

Proceedings of the Govt of Nagpore (W)

Read

(1) Petition No 3900 dated 4th June 1895 from Narainsheo & others of Kalale village, Nagpore Taluk appealing against the order of the Deputy Commissioner Nagpore District declining to grant the remission of ½ the half assessment on their lands under the Chichmita tank of the said village, which the feeders of the said tank have been out of order for the year 1895-96

(Encl 1 words)

(2) Letter No. 371 dated 9th August 1895 from the Deputy Commissioner, Nagpore District reporting on the above.

Order Herein: Rs 9897
Rs 1,000.
98-5-97

Regarding the claim now urged for the remission of one half of the last assessment Government find that this tank has been always treated as a special treatment owing property to the defective inefficiency of the water

supply. For some time after the lands were first irrigated a crop both of corn & cotton was raised, but the Government has satisfied itself by experience that the Egyptian only staple crop is cotton. It is hard to believe that if there were sufficient water the Egyptian would have preferred growing dry to wet crops. It has not been shown what valuable dry crops are. The Assiout area is in favour of the Association.

The Luxor settlement is unfinished & will probably be completed in a year or two. Pending such settlement it is impossible to state the special practice which was obtaining in connection with this land. Half rotation will under these circumstances be sanctioned for all such lands as were lying

Lr 81-95-6

29 fallow or only sown with
dry crops.

(Draft)
C2

for Secretary.

C.J.X.
7/5/97.

To
The Deputy Commissioner
Mysore District
with records.

LR 81-95-7

(12)

REVENUE DEPARTMENT
Gl. No. 8150
Pet 703
- 4 JUN 97
189
DEWAN'S

MYSORE P.W. DEPARTMENT.

Subd to 2d Councillor with reference to the order on the margin.

M 5/6/97

Rec 5.40 P.M.
Rec'd 6.30 P.M.
7/6/97.

Noted. file
MMD
18-6-97

From

The Chief Engineer of Mysore,
Bangalore.

To

The Secy. to the Govt. of Mysore.
General Revenue Department.

No. 2346

Dated Bangalore 2d June 1897

Despatched

Enclosure No.

SUBJECT.

Stating that a portion of Rs 29,284 for the maintenance and improvement of tank feeders in the Kolale Chikanda tank was sanctioned in December 1896, and that the work is in progress.

Petitioner Manoo
4/6/97

Rec'd 5/6

Rep. put up
MK
5/6.

Subd to Asst Secretary
MMD
5/6/97

MYSORE P. W. DEPARTMENT

CENTRAL OFFICE,

No. 2344

Bangalore, 22 June 189[illegible].

From

The Chief Engineer of Mysore,

To

The Secretary to the Govt. of Mysore,

General Revenue Department.

Sir,

In returning the original endorsement received with your letter cited 2nd Oct. 1897 I have the honor to inform you that a sanction for Rs 2,900 was conveyed in Revenue Dept. No. 3736, for the restoration and enhancement of the feeder No. 2 to Talaba to Sivaraba Tank. Regarding the 2nd item of the sanctioned estimate, and the amount is in progress.

I have the honor to be,

Sir

Your most obedient Servant

J. W. Whiteley

Offg. Chief Engineer

of Mysore

P. W. D.

md